

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : International Application No.: PCT/EP99/06781  
Thonnard : I.A. Filing Date: 14 September 1999  
Serial No.: 09/787,083 : Priority Date: 14 September 1998  
For: Moraxella Catarrhalis BASB034 :  
Polypeptides and Uses Thereof :

Commissioner for Patents  
Box PCT  
Washington, D.C. 20231  
Attn.: Shakeel Ahmed  
National Stage Processing

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS  
UNDER 35 U.S.C. 371 IN THE UNITED STATES  
DESIGNATED/ELECTED OFFICE**

Sir:

In response to the communication from the Patent Office mailed 18 April 2001, entitled "Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office," enclosed is the Declaration and Power of Attorney for this application, plus the duplicate copy of the Notice to File Missing Parts of the Application form.

The \$130.00 surcharge for filing the missing parts of the application should be charged to Deposit Account No. 50-0258. Any overpayment or refund should be credited to Deposit Account No. 50-0258.

05/16/2001 UEDUVIJE 00000164 500258 09787083  
.01 FC:154 130.00 CH

Respectfully submitted,



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cket No. BM45332  
Serial No. 09/787,083

# CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited on the date shown below with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Box PCT, Commissioner for Patents, Washington, D.C. 20231.

Colleen Hanagan  
Colleen Hanagan

May 11, 2001  
Date

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**COMMUNICATION REGARDING INCORRECT PRIORITY DATE**

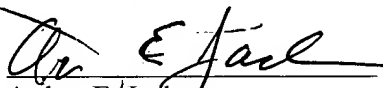
Sir:

The priority date of "14 August 1998" as indicated on the communication entitled "Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office" dated 18 April 2001 is incorrect.

The subject application was filed as a National Stage application of International Application No. PCT/EP99/06781, filed 14 September 1999 which claims priority of Application No. 9820002.5, filed 14 September 1998. This data was clearly identified on the first page of the International Application as published which accompanied the "National Stage Application Transmittal Letter" when submitted with the US Receiving Office on 14 March 2001 by the attorney for the applicant, copy enclosed. Thus, the correct priority date of the subject application is "14 September 1998".

Accordingly, applicant requests the priority date of "14 September 1998" be made of record in the subject application.

Respectfully submitted,



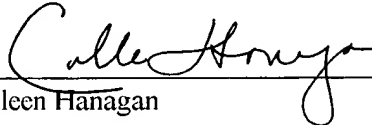
Arthur E. Jackson  
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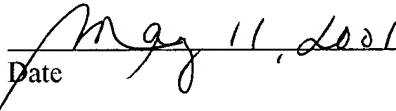
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\_\_\_\_\_  
Colleen Hanagan

  
\_\_\_\_\_  
Date

Applicant's or agent's file reference KP/BM45332	International application
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**INDICATIONS RELATING TO DEPOSITED MICROORGANISM  
OR OTHER BIOLOGICAL MATERIAL**

(PCT Rule 13bis)

A. The indications made below relate to the deposited microorganism or other biological material referred to in the description on page <u>70</u> , line <u>3-28</u>	
B. IDENTIFICATION OF DEPOSIT <span style="float: right;">Further deposits are identified on an additional sheet <input type="checkbox"/></span>	
Name of depositary institution  AMERICAN TYPE CULTURE COLLECTION	
Address of depositary institution (including postal code and country) 10801 UNIVERSITY BLVD, MANASSAS, VIRGINIA 20110-2209, UNITED STATES OF AMERICA	
Date of deposit 21 June 1997 (21.06.97) and 12 February 1999 (12.02.99)	Accession Number 43617 and 207099
C. ADDITIONAL INDICATIONS (leave blank if not applicable) <span style="float: right;">This information is continued on an additional sheet <input type="checkbox"/></span>	
In respect of those designations where a European Patent is sought, a sample of the deposited microorganism will be made available until the publication of the mention of the grant of the European Patent or until the date on which the application has been refused or withdrawn, only by issue of such a sample to an expert nominated by the person requesting the sample.	
D. DESIGNATED STATES FOR WHICH INDICATIONS ARE MADE (if the indications are not for all designated States)	
E. SEPARATE FURNISHING OF INDICATIONS (leave blank if not applicable)	
The indications listed below will be submitted to the International Bureau later (specify the general nature of the indications e.g. "Accession Number of Deposit")	
For receiving Office use only	For International Bureau use only
<input type="checkbox"/> This sheet was received with the international application	<input type="checkbox"/> This sheet was received by the International Bureau on:
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